

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PATRICK HICKEY, ESQUIRE, Special
Administrator Pendente Lite of the Estate of
Rita T. Petruzzi,

Plaintiff,

v.

**OSCAR TEXIDOR-RAMIREZ,
TEXIDOR TRANSPORT, LLC, and
JAMES PETRUZZI,**

Defendants.

CIVIL ACTION

CASE NO.

NOTICE OF REMOVAL

Defendants Oscar Texidor-Ramirez and Texidor Transport, LLC, by and through their undersigned attorneys, Rawle & Henderson, LLP, and pursuant to 28 U.S.C. §§ 1441 and 1146, hereby files their Notice of Removal of this action from the Court of Common Pleas of Delaware County, Pennsylvania, to the United States Court for the Eastern District of Pennsylvania, and shows the Court as follows:

1. On September 20, 2022, Plaintiff Patrick Hickey, Esquire, Special Administrator Pendente Lite of the Estate of Rita T. Petruzzi (“Plaintiff”), filed a civil action in the Court of Common Pleas for Delaware County, Pennsylvania, styled, *Hickey v. Texidor-Ramirez, et al.*, Case No. CV-2022-006947.

2. The undersigned, as counsel for Oscar Texidor-Ramirez and Texidor Transport, LLC accepted service of the Complaint on September 22, 2022. This Notice of Removal is being filed within 30 days of the service of the Complaint on Defendants for Oscar Texidor-Ramirez

and Texidor Transport, LLC and, therefore, under 28 U.S.C. § 1446(b)(1), this Notice of Removal is timely and proper.

3. Pursuant to 28 U.S.C. § 1446(a), true and legible copies of all process, pleadings, and orders of every kind on file in the state and known to have been served by, or upon for Oscar Texidor-Ramirez and Texidor Transport, LLC, are attached hereto as composite Exhibit “A”. Defendants for Oscar Texidor-Ramirez and Texidor Transport, LLC are not aware of any further proceedings in the above-described civil action.

4. This Court possesses original jurisdiction over this matter pursuant to 28 U.S.C. § 1332, as the civil action involves citizens of different States and the amount in controversy exceeds the sum of \$75,000.00.

5. Plaintiff is a citizen of the Commonwealth of Pennsylvania.

6. Defendant Oscar Texidor-Ramirez is a citizen of the State of Delaware.

7. Defendant Texidor Transport, LLC is a citizen of the State of Delaware as its sole member is a citizen of the State of Delaware.

8. Defendant James Petruzzi is a citizen of the State of Arizona.

9. Plaintiff alleges Rita T. Petruzzi was injured as the result of a motor vehicle accident occurring on October 15, 2020 in Chadds Ford Township, Pennsylvania.

10. Defendants for Oscar Texidor-Ramirez and Texidor Transport, LLC will promptly file the Notice of Filing of Notice of Removal attached hereto as Exhibit “B”¹ with a copy of this Notice of Removal, in the Court of Common Pleas for the County of Delaware. Plaintiff will also promptly provide a written copy of the Notice of Removal to Plaintiff.


¹ The exhibit to the Notice of Filing of Notice of Removal, consisting of this Notice of Removal has been omitted from Exhibit A.

11. Defendants for Oscar Texidor-Ramirez and Texidor Transport, LLC have complied with all conditions precedent to the removal of this action.

WHEREFORE, Defendants for Oscar Texidor-Ramirez and Texidor Transport, LLC, respectfully give notice that the above-described civil action now pending in the Court of Common Pleas of Philadelphia County is removed therefrom to this Court.

Respectfully submitted,

RAWLE & HENDERSON LLP

By: _____

Lawrence D. Wright, Esquire

Daniel S. Strick, Esquire

Pa Id. Nos.: 16531/88381

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*Attorneys Defendants Oscar Texidor-
Ramirez and Texidor Transport, LLC*

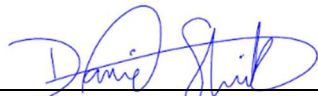
Date: October 4, 2022

CERTIFICATE OF SERVICE

I, Daniel S. Strick, attorney for Defendants Oscar Texidor-Ramirez and Texidor Transport, LLC, hereby certify that a true and correct copy of the foregoing Notice of Removal has been served upon the following:

Timothy F. Ranye, Esquire
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By: 
Daniel S. Strick

Date: October 4, 2022